

**SUPREME COURT MINUTES
TUESDAY, MAY 25, 2004
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 25, 2004, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Brown, and Moreno.

Officers present: Frederick K. Ohlrich, Clerk; and Gail Gray, Calendar Coordinator.

S122923 Bill Lockyer, Attorney General, etc., Petitioner

v.

City & County of San Francisco, Respondent

Nancy Alfaro, as County Clerk, etc., Respondent

Gavin Newsom, as Mayor, etc., Respondent

Mabel S. Teng, as County Assessor, etc., Respondent

S122865 Barbara Lewis, et al., Petitioners

v.

Nancy Alfaro, as County Clerk, etc., Respondent

Cause called. Timothy M. Muscat, Office of the Attorney General, argued for Petitioner Lockyer.

Jordan Lorence argued for Petitioners Lewis et al.

Therese M. Stewart, Office of the San Francisco City Attorney, argued for Respondents.

Mr. Muscat replied.

Cause submitted.

S067491 In re Ronald Harold Seaton

On Habeas Corpus

Cause called. Roger Myers argued for Petitioner.

Matthew Mulford, Office of the Attorney General, argued for Respondent.

Mr. Myers replied.

Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.

Members of the Court and Officers present as first shown.

- S115654 Dheeraj Kulshrestha, Plaintiff and Appellant
 v.
 First Union Commercial Corporation, Defendant and Respondent
 Cause called. Leo Donahue argued for Appellant.
 Jeremy T. Naftel argued for Respondent.
 Mr. Donahue replied.
 Cause submitted.
- S115998 The People, Plaintiff and Respondent
 v.
 Walter Shane Langston, Defendant and Appellant
 Cause called. Sharon E. Loughner, Office of the Attorney General,
 argued for Respondent.
 Robert D. McGhie argued for Appellant.
 Ms. Loughner replied.
 Cause submitted.

Chief Justice George, not participating in consideration of the following case, did not take the bench.

The Honorable William D. Stein, Associate Justice, Court of Appeal, First District, Division One, sitting on the following case under assignment by the Chairperson of the Judicial Council, joined the Court at the bench.

S087243 The People, Respondent

v.

John George Brown, Appellant

Cause called. Marilee Marshall argued for Appellant.

Robert M. Foster, Office of the Attorney General, argued for
Respondent.

Ms. Marshall replied.

Cause submitted.

Court recessed until 9:00 a.m., Wednesday, May 26, 2004.

S049389

PEOPLE v. LENART (THOMAS H.)

Time extended to consider modification or rehearing

to August 4, 2004, or the date upon which rehearing is either granted or denied, whichever occurs first.

S033901

PEOPLE v. THOMPSON (CATHERINE)

Extension of time granted

to July 19, 2004 to file appellant's opening brief. The court anticipates that after that date, only one further extension totaling about 30 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S034072

PEOPLE v. CURL (ROBERT ZANE)

Extension of time granted

to July 16, 2004 to file appellant's opening brief. After that date, no further extension will be granted. Extension granted based upon counsel Musawwir Spiegel's representation that he anticipates filing the brief by 7-16-2004.

S036864

PEOPLE v. GUERRA (JOSE F.)

Extension of time granted

to July 23, 2004 to file reply brief. The court anticipates that after that date, only two further extensions totaling about 120 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

S045078PEOPLE v. CLARK (ROYAL)
Extension of time granted

to August 2, 2004 to file respondent's brief. After that date, no further extension will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

S062259PEOPLE v. SCULLY (ROBERT W.)
Extension of time granted

to July 26, 2004 to file record correction motion. After that date, only two further extensions totaling about 95 additional days will be granted. Extension granted based upon Senior Deputy SPD Margot Garey's representation that she anticipates filing the request by 11-1-2004. Counsel for appellant is ordered to serve a copy of the record correction motion on this court upon its filing in the superior court.

S065720PEOPLE v. VINES (SEAN VENYETTE)
Extension of time granted

to July 20, 2004 to file appellant's opening brief. The court anticipates that after that date, only three further extensions totaling about 180 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S066527PEOPLE v. LINDBERG (GUNNER J.)
Extension of time granted

to July 26, 2004 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling about 120 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

S118280

FRENCH (ALLEN RENDEL) ON H.C.
Extension of time granted

Respondent's time to serve and file the informal response is extended to and including June 14, 2004.

S119946

DUNKLE (JON SCOTT) ON H.C.
Extension of time granted

to June 1, 2004 to file informal response. After that date, no further extension will be granted. Extension granted based upon Supervising Deputy Attorney General Rene A. Chacon's representation that he anticipates filing the document by 5-31-2004.

S121532

B167044 Second Appellate District,
Division Seven

JEVNE v. S.C. (JB OXFORD HOLDINGS)
Extension of time granted

On application of petitioners and good cause appearing, it is ordered that the time to serve and file Petitioners' Reply Brief on the Merits is extended to and including June 21, 2004.

S123133

C040754 Third Appellate District

PEOPLE v. BRENDLIN
Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file Respondent's Opening Brief on the Merits is extended to and including July 9, 2004. No further extensions of time are contemplated.

**S122923 &
S122865**

LOCKYER v. CITY OF SAN FRANCISCO
LEWIS v. ALFARO
Order filed

The above-entitled cases are consolidated.

